

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ALLEGRA NETWORK, LLC and ALLEGRA
HOLDINGS, LLC,

Petitioners,

v.

Case No. 12-12683

THE HORVATH COMPANY, et al.,

Respondents.

JUDGMENT

This matter is before the court on Petitioners' Allegra Network, LLC and Allegra Holdings, LLC (collectively, "Allegra") petition to confirm arbitration award against Respondents The Horvath Company, LLC, Thomas Horvath, and Kerstin Horvath. Upon consideration of the petition, the court confirms the arbitration award and enters final judgment as follows:

FINDINGS OF FACT

1. On January 4, 2012, Allegra filed a demand for arbitration before the American Arbitration Association ("AAA") pursuant to the arbitration provision in the parties' franchise agreement.
2. On May 8, 2012, the appointed arbitrator, Lawrence R. Abramczyk, held an arbitration hearing in this District in Garden City, Michigan.
3. On June 5, 2012, the arbitrator entered a written award in Allegra's favor, awarding the sum of \$125,842.98 on the claims against Respondents; \$13,662.88 in

attorneys' fees and costs; and \$5,675.00 in administrative fees. The total arbitration award equaled \$145,180.86.

4. Allegra filed its petition and motion to confirm arbitration award ("Petition") on June 19, 2012.

5. Summons issued for all Respondents on June 21, 2012.

6. Respondents were served on July 25, 2012. Respondents did not file an answer or move to vacate, modify, or correct the arbitration award.

7. A default judgment was entered against Respondents on August 22, 2012.

8. Allegra moved to confirm the arbitration award on September 19, 2012.

9. Respondents did not respond to the motion.

10. On December 4, 2012, the court granted Allegra's motion to confirm the arbitration award.

JUDGMENT

Accordingly, IT IS ORDERED AND ADJUDGED that judgment is entered in favor of Allegra and against Respondents The Horvath Company, LLC, Thomas Horvath, and Kerstin Horvath:

- A. Respondents are ORDERED to pay damages to Allegra in the amount of \$125,842.98.
- B. Respondents are ORDERED to pay to Allegra reasonable attorneys' fees and costs incurred by Allegra for the arbitration proceedings in the amount of \$13,662.88.
- C. Respondents are ORDERED to pay to Allegra \$5,675.00 in administrative fees incurred during the arbitration.

- D. Respondents are ORDERED to pay to Allegra interest on the award amount of \$145,180.86 at the statutory rate of 13% compounded annually from January 4, 2012, until the date of satisfaction of the judgment.
- E. Respondents are ORDERED to pay to Allegra reasonable attorneys' fees and costs incurred in filing Allegra's petition and motion to confirm the arbitration award in the amount of \$4,764.66.

Dated at Detroit, Michigan, this 25th day of January 2013.

DAVID J. WEAVER
CLERK OF THE COURT

s/ Lisa Wagner

By: Lisa Wagner, Case Manager
to Judge Robert H. Cleland